

**SAMPLE PARKING WAIVER NOTIFICATION LETTER.  
TO BE SENT BY APPLICANT TO NEARBY PROPERTY  
OWNERS AND CITIZEN’S ASSOCIATIONS.  
PROVIDE WRITTEN CONFIRMATION OF MAILING TO  
HEARING EXAMINER.**

[Date]

[Address]

Re: Special Exception No. S-\_\_\_\_

Dear \_\_\_\_\_:

I am [*or*: I represent \_\_\_\_\_, (*entity name*)] the Petitioner in the special exception case identified above. I/We have requested a special exception to construct [*or* operate] a \_\_\_\_\_ on property located at \_\_\_\_\_.

The purpose of this letter is to provide you with notice, as required under Section 59-E-4.5 of the Montgomery County Zoning Ordinance, that in connection with this special exception petition, I/we are requesting a waiver of certain requirements related to parking facilities.

Specifically, the Zoning Ordinance requires the following:

- [*describe items for which waiver is sought, e.g. setbacks, in bullet points*].

I/we have proposed, instead, to provide the following:

- [*describe parking facilities proposed, in bullet form*].

I/we believe that this departure from the normal parking requirements is necessary due to [*describe reasons, e.g. topography, size and shape of site*].

If the special exception in this case is granted, the Board of Appeals has authority under Section 59-E-4.5 to waive any parking requirements that are not necessary to accomplish the objectives of the parking facility regulations. These objectives are set forth in Section 59-E-4.2 and are reproduced below:

A parking facility plan shall accomplish the following objectives:

- (a) The protection of the health, safety and welfare of those who use any adjoining land or public road that abuts a parking facility. Such protection shall include, but shall not be limited to, the reasonable control of noise, glare or reflection from automobiles, automobile lights, parking lot lighting and automobile fumes by use of perimeter landscaping, planting, walls, fences or other natural features or improvements.

- (b) The safety of pedestrians and motorists within a parking facility.
- (c) The optimum safe circulation of traffic within the parking facility and the proper location of entrances and exits to public roads so as to reduce or prevent traffic congestion.
- (d) The provision of appropriate lighting, if the parking is to be used after dark.

[*If applicable:* In its review of this special exception petition, the Montgomery County Planning Board and its Technical Staff have recommended that the Board of Appeals grant the requested parking waiver.]

***INCLUDE ONE OF THE FOLLOWING TWO ALTERNATIVES:***

[*If notice is sent before public hearing:* The public hearing in this case is currently scheduled for [date]. You may comment on whether the requested waiver(s) should be granted either at the public hearing or, prior to the date of the hearing, by submitting written comments to the Office of Zoning and Administrative Hearings, 100 Maryland Avenue, Room 200, Rockville, Maryland 20850.] [*If notice is sent after public hearing:* Please provide any comment you wish to make concerning whether the requested waiver(s) should be granted to the Office of Zoning and Administrative Hearings, 100 Maryland Avenue, Room 200, Rockville, Maryland 20850 no later than \_\_\_\_\_ [*ten days after date of letter*]].

The complete file on this petition may be viewed in the Office of Zoning and Administrative Hearings Monday through Friday, between the hours of 8:30 a.m. and 5:00 p.m.

Thank you for your attention to this letter.

Sincerely,